

REMARKS

Applicant is submitting this amendment with a Request for Continued Examination. Applicant respectfully requests reopening of prosecution and reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 11, 13, and 14 are currently being amended.

This amendment amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

The Board of Patent Appeals and Interferences (“Board”) affirmed the rejection under 35 U.S.C. §112, first paragraph, of claims 1, 3-10, 17, and 18 and the rejection under 35 U.S.C. §112, second paragraph, of claims 1 and 3-20.

Applicant has amended the claims to address the Examiner’s rejections remaining following the Board of Patent Appeals and Interferences Decision of September 28, 2004 (“Decision”). Applicant has amended the claims to address the rejection under 35 U.S.C. §112, first paragraph, of claims 1, 3-10, 17, and 18. Claims 1 and 3-20 have been amended to address the rejection under 35 U.S.C. §112, second paragraph. After amending the claims as set forth above, claims 1 and 3-20 are now pending in this application.

Claim 1 has been amended to remove the new matter (“structurally removable from the laboratory magnetic stirrer without removing a fastener”) included in the wherein clause added in paper 13. Claims 3-10, 17, and 18 depend from claim 1, and the amendment to claim 1 to remove the new matter likewise removes the new matter from those claims. Applicant notes that the Board did not rely on this feature in overturning the rejections under 35 U.S.C. §§102 and 103 in the Decision.

Claims 1, 11, 13, and 14 have been amended to correct the antecedent basis defects sustained by the Board.

Applicant believes that the present application is now in condition for allowance.
Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1450. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1450. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1450.

Respectfully submitted,

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